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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/627,144

07/25/2003

William Helms

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3903

7590

03/07/2006

MARK HOMER

NAVAL UNDERSEA WARFARE CENTER NEWPORT DIVISION
1176 HOWELL STREET BUILDING 112T CODE 000C
NEWPORT, RI 02841-1708

EXAMINER

HARPER, LEON JONATHAN

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/627,144	Applicant(s) HELMS, WILLIAM	
	Examiner Leon J. Harper	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/27/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application 10627144 filed on 7/25/2003.

Claims 1-19 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. All claims 1-19 contain statements such as "collecting information relating to modifications/additions jobs/tasks and repair/supply. Examiner believes and will assume for the purpose of this office action that the / is equivalent to an or statement.

Claim 3 recites the limitation " said step of collecting information relating to third parties/customers, third party/customer assets, software modifications/additions, new, in process, and completed jobs/tasks, asset repair processes, asset storage, job/task funding, and asset warranties" in line 2. There is insufficient antecedent basis for this limitation in the claim. This limitation appears to be the same as the list in claim 1 however in claim 1 there is no "new, in-process and completed" so it is unclear if this is meant to be the same limitation as in claim 1. Examiner will assume for the purposes of this office action that they are the same.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5970475 (hereinafter Barnes)(art of record) in view of US 6148291 (hereinafter Rad) and in further view of US 6901377 (hereinafter Rose).

As for claim 1, Barnes discloses: collecting information relating to third parties/customers (See column 9 lines 49-51) third party/customer assets software modifications/additions (See column 7 lines 1-5), jobs/tasks (See column 22 lines 37-41),

Barnes however does not explicitly disclose: asset repair processes, asset storage, job/task funding, and warranties; incorporating said collected information into a

structured relational database', and providing a graphical user interface including a plurality of single-click buttons for initiating a user-defined query that allows a user to access said database, manipulate said collected information, and selectively display a current status of a third party/customer's assets that are located in a military repair/supply depot .

Rose however does disclose: asset repair processes (See column 2 lines 63-66), job/task funding (See column 5 lines 38-40), and warranties (See column 2 line 65); incorporating said collected information into a structured relational database (See column 6 lines 62-66), providing a graphical user interface including a plurality of single-click buttons for initiating a user-defined query that allows a user to access said database, manipulate said collected information, and selectively display a current status of a third party/customer's assets that are located in a military repair/supply depot (See column 3 lines 40-47). Rad however discloses: asset storage (See column 4 lines 58-62 each container is an asset). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teachings of Rose and Rad into the system of Barnes. The modification would have been obvious because it has historically been difficult for manufacturers of equipment to provide services for their clients (See Rose column 1 lines 16-17). Also large companies sometimes have employees handling the ordering or parts or handling the repair and warranty process, and the overhead associated with not having a centralized database can cost parties millions of dollars a year (See Barnes column 1 lines 48-51).

As for claim 2 the rejection of claim 1 is incorporated, and further Barnes discloses: assigning one of a plurality of levels of access rights to each user (See column 8 lines 42-47).

As for claim 3 the rejection of claim 1 is incorporated, and further Rad discloses real-time performance (See column 13 lines 13-19).

As for claim 4 the rejection of claim 1 is incorporated, and further Rose discloses: constructing data files from said collected information on-the-fly (See column 4 lines 12-19).

As for claim 5 the rejection of claim 1 is incorporated, and further discloses: collecting constantly changing third party/customer information (See column 10 lines 4-6).

As for claim 6 Barnes discloses: means for collecting data that characterizes third parties/customers, third party/customer assets, software modifications/additions, (See column 9 lines 49-51 and column 7 lines 1-5, and See column 22 lines 37-41), a first data storage record for storing information relating to third parties/customers (See column 9 lines 49-51); a second data storage record for storing information relating to third party/customer assets- (column 7 lines 1-5) a third data storage record for storing information relating to software modifications/additions (See column 22 lines 37-41); a

Rose however does disclose: new, in-process, and completed jobs/tasks, a fourth data storage record for storing information relating to new jobs/tasks, a fifth data storage record for storing information relating to in-process jobs/tasks; a sixth data storage record for storing information relating to completed jobs/tasks; (See column 5 lines 8-20 note this is all done by the overhaul communication module) asset repair processes, a seventh data storage record for storing information relating to asset repair processes; (See column 2 lines 63-66), job/task funding, and , a ninth data storage record for storing information relating to job/task funding (See column 5 lines 38-40), and warranties, a tenth data storage record for storing information relating to asset warranties (See column 2 line 65); one or more graphical user interfaces each with a plurality of single-click buttons for initiating one of said plurality of user-definable queries', and a computer for maintaining said first through said tenth data storage records and said plurality of user-definable queries and allowing a user to access, manipulate, and display selected structured data indicating the current status of third party/customer assets located in a military repair/supply depot. (See column 3 lines 40-47). Rad however discloses: asset storage, and an eighth data storage record for storing information relating to asset storage' (See column 4 lines 58-62 each container is an asset). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teachings of Rose and Rad into the system of Barnes. The modification would have been obvious because it has historically been difficult for manufacturers of equipment to provide services for their clients (See Rose column 1 lines 16-17). Also large companies sometimes have employees handling the ordering

or parts or handling the repair and warranty process, and the overhead associated with not having a centralized database can cost parties millions of dollars a year (See Barnes column 1 lines 48-51).

As for claim 8 the rejection of claim 6 is incorporated, and further Barnes discloses: a plurality of software applications resident on a hard disk drive (See column 10 lines 4-6 note: servers contain hard disk).

As for claim 9 the rejection of claim 8 is incorporated, and further Barnes, Rose and Rad differ from the claimed invention in that one of the plurality of software applications is cold fusion studio is not explicitly disclosed. However, it would have been obvious to an artisan of ordinary skill in the pertinent art to have had cold fusion studio as one of the software applications. The modification would have been obvious because cold fusion studio allows the web developer to create web applications for the a cold fusion server easily.

As for claim 11 the rejection of claim 8 is incorporated, and further Barnes discloses: wherein one of said plurality of software applications is Microsoft Internet Explorer (See column 11 lines 36-37).

As for claim 12 the rejection of claim 8 is incorporated and further Barnes, Rose, and Rad differ from the claimed invention in that having one of the software application

be Microsoft access is not explicitly disclosed. However the modification would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made. The modification would have been obvious because Access is a power database that is still easy enough for beginners to understand.

As for claim 13 the rejection of claim 6 is incorporated, and further Barnes discloses: computer maintains said first though said tenth data storage records in Microsoft SQL server database tables (See column 11 lines 47-48).

As for claim 14 the rejection of claim 6 is incorporated, and further Barnes discloses: a log in graphical user interface (See column 18 lines 28-31).

As for claim 15 the rejection of claim 6 is incorporate, and further Barnes discloses: a plurality of levels of user access rights (See column 8 lines 42-47).]

As for claim 16 the rejection of claim 15 is incorporated, and further Barnes discloses: said plurality of levels of user access rights includes one or more administration levels (See figure 13 and column 16 lines 38-40).

As for claim 17 the rejection of claim 16 is incorporated, and further Barnes, Rose, and Rad differs from the claimed invention in that wherein a level of user access

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right: is selected from the group consisting of administration, production controller administration, production controller, technician, logistics, engineering, and guest. However it would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated a level of user access rights consisting of the group, administration, production controller administration, production controller, technician, logistics, engineering, and guest. The modification would have been obvious because different levels of access will determine what changes the user can and cannot make to the system (See Barnes column 9 lines 46-48 "setting up users and setting their details).

As for claim 18 the rejection of claim 6 is incorporated, and further Rad discloses real-time performance (See column 13 lines 13-19).

As for claim 19 the rejection of claim 6 is incorporated, and further Rose discloses: constructing data files on-the-fly (See column 4 lines 12-19).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes, Rose, and Rad as applied to claim 6 above, and further in view of US 6990482 (hereinafter Piot).

As for claim 7 the rejection of claim 6 is incorporated, and further Barnes, Rose, and Rad differ from the claimed invention in that a MacroMedia® Cold Fusion MX

server interface (See figure1 #18 and column 4 lines 45-47). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of Piot into the system of Barnes, Rose, and Rad. The modification would have been obvious because a cold fusion server provides the security features necessary to provide user access levels such as strong encryption.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes, Rose, and Rad as applied to claim 8 above, and further in view of US 6990482 (hereinafter Piot).

As for claim 10 the rejection of claim 6 is incorporated, and further Barnes, Rose, and Rad differ from the claimed invention in that a Cold Fusion server (See figure1 #18 and column 4 lines 45-47). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teaching of Piot into the system of Barnes, Rose, and Rad. The modification would have been obvious because a cold fusion server provides the security features necessary to provide user access levels such as strong encryption.


Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LJH
Leon J Harper
February 27, 2006


MOHAMMAD ALI
PRIMARY EXAMINER